

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In the Matter of Arbitration between,	:	
FORALL USA, INC.,	:	Civil Action No.
Petitioner,	:	DECLARATION IN SUPPORT OF
v.	:	PETITION FOR
	:	CONFIRMATION OF
	:	ARBITRATION AWARD
SARAH LLC, HALA SUBH, SUHAD	:	
ALBASHA, BACHAR HAMAD and AMAR	:	
HAMAD,	:	
Respondents.	:	

I, Stephen J. Brown, hereby declare that the following is true and correct, that I have personal knowledge of the same, and could and would testify competently thereto.

1. I am counsel of record for Petitioner Forall USA, Inc. in this matter and in the underlying Arbitration: In the Matter of an Arbitration between Sarah LLC, Hala Subh, Suhad Albasha, Bachar Mahad and Amar Hamad (Claimants) and Forall USA, Inc. (Respondent), American Arbitration Association Case No. 01-18-0000-6180 (the “Arbitration”).

2. Petitioner is incorporated under the law of the State of New York, with its headquarters and principal place of business in Putnam County, New York.

3. Attached hereto as Exhibit A, is a true and correct copy of the Arbitration Award rendered on January 25, 2021 by the duly appointed arbitrator in the Arbitration, Eugene I. Farber, Esq. (the “Award”) in this proceeding in American Arbitration Association, Case No. 01-18-0000-6180.

4. Attached hereto as Exhibit B, is a true and correct copy of the License and Retail Operator Agreement dated March 2011, containing, *inter alia*, the applicable arbitration provisions entered into between Petitioner Forall USA, Inc. and Sarah LLC, Hala Subh, Suhad Albasha, Bachar Mahad and Amar Hamad (“Sarah Respondents” herein). See Sections 17.2 and 17.3 of the License Agreement regarding the parties’ election of arbitration and venue and forum for same.

5. Attached hereto at Exhibit C, is a true and correct copy of the Sarah-Claimants’ Demand for Arbitration and Statement of Facts and Claims dated January 12, 2018, filed in the American Arbitration Association, Case No. 01-18-0000-6180.

6. Attached hereto at Exhibit D, is a true and correct copy of the Forall-Respondent’s Answer with Counterclaims dated March 16, 2018, filed in the American Arbitration Association, Case No. 01-18-0000-6180 proceeding.

7. Attached hereto at Exhibit E, is a true and correct copy of the Notice of Appointment of Arbitrator Thomas R. Langan, dated April 27, 2018.

8. Attached hereto as Exhibit F, is a true and correct copy of the correspondence from AAA confirming the appointment of Eugene I. Farber as the arbitrator (the “Arbitrator”). Mr. Farber was among the list of arbitrators submitted to both parties. Each party the opportunity to strike names from that list. Neither party struck Mr. Farber.

9. The Arbitration took place via Zoom remotely on October 26, 27, 28 and 29, 2020.

10. Attached hereto as Exhibit G, is a certified copy of the transcript of the Arbitration hearing conducted before a court reporter on October 26, 27, 28 and 29, 2020.

11. After the Arbitration commenced, the Arbitrator directed the parties to submit Post-Arbitration Briefs. Attached hereto as Exhibit “D” is Respondent Sarah’s post-arbitration brief. Attached hereto as Exhibit “E” is Sarah Respondents’ post-arbitration brief.

12. Following the submission of the parties’ post-arbitration briefs, Arbitrator Farber issued his decision and award.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

/s/ *Stephen J. Brown*
Stephen J. Brown, Esq. (SJB4903)